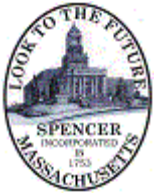


Conservation Commission – Town of Spencer

Minutes



Conservation Commission Meeting
Wednesday, June 11, 2014 at 7:00 PM
Town Hall, McCourt Social Hall

The Meeting was opened at 7 p.m.

Commissioners Present: Mary McLaughlin, Warren Snow, Margaret Emerson, Dana Reed, John Haverty

Commissioners Absent: James Bouley

Minutes Approved:

April 23, 2014 – *A motion to approve the minutes as amended (Emerson/Reed) passed 5/0.*

May 14, 2014 – *A motion to approve the minutes as amended (Snow/Emerson) passed 5/0.*

7:15 p.m. Opened the Public Hearing for Notice of Intent for Town of Spencer Property: Briarwood Lane, Spencer, MA DEP#293-0827

Ms. McLaughlin read the site inspection report. The project is to finish the 7,100 square-foot wetland replication area. The Commission decided that a special condition be put in the Order of Conditions, in addition to the standard conditions, that the project is overseen by a competent wetland specialist, the specialist must check the sub-grading before the top soil is placed and before planting takes place, and the professional must check at the end to make sure the work was done correctly.

A motion to close the public hearing (Reed/Snow) passed 5/0.

A motion to accept plan as submitted with conditions as discussed (Reed/Emerson) passed 5/0.

7:33 p.m. Opened the Public Meeting for Request for Determination of Applicability for Benjamin Goodwin

Property: 45 Lambs Grove, Spencer, MA

The Commission did a site visit on June 3rd. Ms. McLaughlin read the inspection report. Mr. Goodwin wants to remove some trees in the buffer zone to Sugden Reservoir, and will leave the stumps in place. A boom will be deployed. Mr. Goodwin said some trees are over-hanging on the house. The trees that are closest to the water will not be cut down.

A motion to close the public meeting (Snow/Haverty) passed 5/0.

A motion for a Negative Determination (Emerson/Reed) passed 5/0.

7:39 p.m. Opened the Public Hearing for Request for Amendment of Order of Conditions for Fred Laflash

Property: 25 Thompson Pond Road, Spencer, MA DEP#293-0825

Mr. Laflash would like to cut down a carpenter-ant-infested white pine tree. Ms. Washburn suggested the following condition be added to the Order of Conditions: “Reinforced concrete monuments, four feet long with a cross-section of 4 inches by 4 inches shall be installed at each wetland flag following the wetland line and at any property line intersection. Each monument shall be buried three feet thereby providing a one-foot elevation above finished grade level. A “Protected Wetland Boundary” marker supplied by the Spencer Conservation Commission shall be installed on the top surface of the monument. Each marker shall be attached by at least two masonry nails or other method approved by the Commission. The number and location of monuments may be changed at the discretion of the Commission. (As per noted on the approved plan dated May 28, 2014).”

A motion to close the public hearing (Reed/Emerson) passed 5/0.

A motion to approve the amendment to the Order of Conditions (Reed/Snow) passed 5/0.

7:47 p.m. Opened the Public Hearing for Request for Amendment of Order of Conditions for Brooks Pond Conservation Association

Property: Brooks Pond, Spencer, MA

Mr. Reed recused himself, as he is an abutter to Brooks Pond. Ms. McLaughlin said the only change to the Order of Conditions is to add the herbicide “Clipper” to the list of those already permitted. Mr. Meringolo said he notified abutters. He said the herbicide “Clipper” was not available when the original Notice of Intent was submitted. The herbicide has been registered in Massachusetts since last July.

A motion to close the public hearing (Emerson/Snow) passed 4/0.

A motion to approve the amendment to the Order of Conditions (Snow/Emerson) passed 4/0.

Other Business:

Small Farm APR: Ms. Ginny Scarlet said it looks as though the deal will go through. Originally, the APR Program said that Common Ground Land Trust could hold the local interest in the APR. Ms. Scarlet said that is not true; a municipality has to hold the local interest. Ms. Scarlet said if the State holds it that will be a problem in the long run. The Conservation Commission currently holds the other APRs in town. *A motion to accept the APR (Snow/Emerson) passed 5/0.*

Lot 1, Greenville Street: *A motion to issue a three-year extension (Haverty/Reed) passed 5/0.*

300 Charlton Road: On 6/2/14, Ms. Washburn inspected with Vito Colonna of Connorstone Engineering, and Tom Smith and Bob Knight of Genzyme. They were preparing to file a request for Certificate of Compliance for an 18-year-old expired Order of Conditions for a driveway. They saw erosion issues, and it appeared as though some unpermitted work has been done in the buffer zone since the old Order of Conditions was issued. They will file a new NOI for erosion controls, possibly some paving, and they will contact Steve Tyler regarding a possible driveway permit and drainage/stormwater issues.

26 Laurel Lane: Steve Tyler said that if the project triggered a stormwater permit, it would need roof runoff infiltration. The project does not trigger a stormwater permit. Jody Bolafka called to say she will probably demand a superseding Order of Conditions. DEP said they may require roof runoff infiltration.

0 Woodbine Terrace: Ms. Washburn inspected on 6/3/14 with Ms. McLaughlin and Mr. Reed. Jason Jarmulowicz had requested an inspection in preparation of reducing the size of the beach. He also wanted to remove most of the remaining ESCs. Permission was given to remove most of the ESCs, and to move ESCs to the area between Thompson Pond and the area where sand is to be removed. Where the sand is removed, the area is to be seeded, and loamed if necessary. There were no other issues at this time. Mr. Reed said he would inspect on Friday, 6/6, before the sand removal begins. Mr. Reed said he inspected the site on 6/6/14 and the ESCs were in exactly the same position as when the Commission visited the site on 6/3/14. Mr. Reed called Mr. Jarmulowicz. Mr. Jarmulowicz said the rain had set him back so he did not remove/move the ESCs. Mr. Reed told Mr. Jarmulowicz to call him or Ms. Washburn when he removes/moves the ESCs.

7 Debbie Drive: Ms. McLaughlin, Mr. Reed and Ms. Washburn did a mid-project inspection on this new single-family house on 6/3/14. The contractor dug a depression behind the house, inside the erosion controls, that is functioning as a small (6 to 10 feet wide) vernal pool. They observed and photographed wood frog tadpoles in it. Ms. Washburn called Brian Kennon on 6/4/14 and he agreed to let the tadpoles develop into frogs, which should occur by the end of July. Ms. Washburn told him if the pool dries up before then, he can work in that area.

The unnamed, intermittent stream parallel to Northwest Road: Ms. Washburn joined Chuck Neveu, of the Spencer Sewer Department, on 6/4/14 while he took a water sample at 10 Northwest Road. The water had a pH of 6.6, nearly neutral, and there was no detectable nitrate-nitrogen or nitrite-nitrogen. *E. coli* bacteria results will be sent by Mark Robidoux after testing is completed on 6/5/14.

36 Clark Road: Mr. Mader received an NOV for work in the buffer without a permit. He called immediately and said his elderly father had done all the work with his tractor. He said he had already seeded all the exposed soil with grass seed. He said no more work would be done within the buffer zone. Ms. Washburn told him we could leave it at that and that no permit would be required as long as no more work is done in the buffer zone.

Site Visits: The Commission will do a site visit on Friday, June 20th at 5 p.m.

New Applications: Clark Road, NOI

A motion to adjourn the meeting at 8:55 p.m. (Snow/Emerson) passed 5/0.

Respectfully submitted by:

Lisa Daoust, Senior Clerk
Development & Inspectional Services

Documents reviewed at the 6/11/14 Spencer Conservation Commission meeting:

Agenda for the 6/11/14 meeting
Margaret's report dated 6/11/14
File to amend the NOI for 25 Thompson Pond Road
NOI file for 25 Thompson Pond Road
NOI file for Lot 1 Greenville Street (R28 Parcel 9, Lot 1)
Extension for OofC for Lot 1 Greenville Street (R28 Parcel 9, Lot 1) (signed)
RDA file for 45 Lambs Grove, including Negative Determination (signed)
NOI file for Briarwood Lane wetland replication area